

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA

Criminal Action No. 5: 03-CR-266 (FJS)

v.

RICHARD D. SMITH,

Defendant.

ORDER FOR DISMISSAL

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure and by leave of court endorsed hereon, the United States Attorney for the Northern District of New York hereby dismisses Indictment No. 5: 03-CR-266 (FJS) against Richard D. Smith, the defendant, charging a single count of a violation of Title 18 United States Code, Section 922(g)(1).

The reason(s) for this dismissal are (check one or more):

- Case transferred to another District
- Speedy Trial Act
- Defendant's cooperation
- Insufficient evidence at this time

Other: Defendant's case satisfied by plea in New York State Courts (Oneida County Court).

With respect to this dismissal, defendant (check one):

Consents
 Objects
 Has not been consulted

This dismissal is without prejudice.

GLENN T. SUDDABY
United States Attorney



By: Richard R. Southwick
Assistant U.S. Attorney
Bar Roll No. 506265

Leave of court is granted for the filing of the foregoing dismissal.

Dated: 9/25/06
Syracuse, New York



Hon. Frederick J. Scullin, Jr.
Senior United States District Judge